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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Michael Chan
NCR Corporation
101 West Schantz, ECD-2
Dayton, OH 45479-0001

EXAMINER

SHAPIRO, JEFFERY A

ART UNIT

PAPER NUMBER

3653

DATE MAILED: 03/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/848,004

Applicant(s)

CIRA ET AL.

Examiner

Jeffrey A. Shapiro

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 12-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Claims 12-18 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 3, of Group I, directed towards Claims 1-11.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tau et al in view of Baker. Tau et al discloses the document processing center comprising a first document processing system as follows.

As described in Claim 1;

1. a plurality of document processing stations (51a, 51b and 52a, 52b) for performing operations on documents and processing information relating to documents (note that documents are like wafers);
2. a plurality of receptacles for storing documents between operations (note the use of stockers to store carriers/cassettes in col. 3, lines 51-60 and that cassettes can also be construed as receptacles);

3. a communication interface (for receiving information produced by the processing stations and producing messages relating to the information (see col. 6, lines 6-22 and col. 7, lines 43-54);

As described in Claim 2;

5. each of the labels is associated with the documents placed in the receptacle to which the label is affixed (see above discussion;

As described in Claim 3;

6. one or more of the document processing stations includes a plurality of sorting locations (see above discussion);
7. wherein groupings of documents are created based on the sorting location into which they are sorted (see above discussion); and
8. wherein each grouping of documents is designated according to its sorting location (see above discussion);

As described in Claim 4;

9. the sorting locations are pockets used by one or more of the document processing stations for receiving sorted documents (see above discussion, noting that cassette stockers necessarily have locations or pockets to receive cassettes);

As described in Claim 5;

10. a subserver (64a or b) connected to the document processing stations;

11. the subserver being operative to coordinate operations of the processing stations and to receive information from the processing stations (see figure 1, noting that the workstations communicate with the MMS);
12. the subserver being operative to prepare messages based on the information from the processing stations (see col. 7, lines 20-42);
13. the subserver being further operative to associate each message with a pocket (see above discussion);

As described in Claim 6;

14. each of the labels is associated with one of the pockets (see above discussion); and
15. wherein documents from each pocket are placed in a receptacle bearing a label corresponding to the pocket (see above discussion);

As described in Claim 7;

15. a communication server serving as an interface between the subserver and the communication interface (note that the network of Tau et al necessarily receives and transmits messages between various parts of the system);
16. the communication server being operative to receive messages from the subserver and associate the message with the label associated with the pocket (see above discussion);

As described in Claim 8;

17. each of the electronic labels has a unique address (see above discussion);

As described in Claim 9;

18. a plurality of additional document processing systems;
19. each additional processing system operating in parallel with the first document processing system;
20. each of the additional processing systems comprising a plurality of document processing stations and a plurality of receptacles having affixed electronic labels,
21. each of the document processing systems employing a subserver connected to the document processing stations,
22. the subservers being connected to the central communication server,
23. the central communication server being operative to control transmission of messages from the first document processing system and each of the additional document processing systems to the electronic labels employed by the first document processing system and each of the additional document processing systems, respectively;

(Note that it would have been obvious for one ordinarily skilled in the art to duplicate one system and link them—note also that it can be construed that Tau et al discloses using several distinct systems together—see

figure 1, for example, illustrating several MMS systems being used together in the same system);

Tau et al does not expressly disclose, but Baker expressly discloses the following.

*As described in Claim 1;

*4. a plurality of electronic labels receiving messages wirelessly from the communication interface, each of the labels being affixed to one of the receptacles, each of the labels being operative to display messages addressed to the label (see col. 2, lines 28-39, indicating that bar codes and RF tags are considered to be functional equivalents. Note also that Baker describes the use of bar codes on mail pieces while Tau et al describes using "tags" on wafers, cassettes and stockers, which appear to be functional equivalents of mail, sorting trays and receptacles of Applicants);

*As described in Claim 10;

24. each of the electronic labels is a low cost wireless receiver operative to receive radio frequency signals representing a message and to display the message using a visual display (see Kosarew, noting the visual information display (10a) on the smart tag);

*As described in Claim 11;

25. each of the electronic labels is operative to receive an operator input,
26. wherein the communication interface is operative to send status requests to the electronic labels; and
27. wherein the electronic labels are operative to use modulated backscatter to send a signal to the communication interface indicating the presence of operator input;

(Note that RF tags necessarily receive operator input and send status request back to a server and that they necessarily operate using modulated backscatter—see Drabeck et al, Mariani, Swartz et al and Carrender et al, for example.)

Both Tau et al and Baker et al are analogous art because they both concern routing and sorting of items.

At the time of the invention, it would have been obvious to a person of ordinary skill to use the system of Baker et al to teach the use of the system of Tau et al in a document sorting environment.

The suggestion/reason would be to provide scheduling and coordinating capability provided by Tau et al in an environment such as that of Baker.

Therefore, it would have been obvious to combine Baker and Tau et al to obtain the invention as described in Claims 1-11.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Isaacs et al, Sleep et al, Chen et al, Ackley et al and Luciano et al are all cited as examples of uses of smart tags for material routing and coordination.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (703)308-3423. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (703)306-4173. The fax phone numbers for the organization where this application or proceeding is assigned are (703)306-4195 for regular communications and (703)306-4195 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.


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Art Unit: 3653

A large, stylized handwritten signature in black ink, likely belonging to Jeffrey A. Shapiro.

Jeffrey A. Shapiro
Patent Examiner,
Art Unit 3653

A smaller, stylized handwritten signature in black ink, likely belonging to Donald P. Walsh.

DONALD P. WALSH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

March 4, 2003